

AMENDMENT TO THE DRAWING

Please amend the drawing as follows:

In FIGURE 1:

Add the numeral "14" for the O-ring associated with closing disk 13.

REMARKS

Claims 1-7, 9-18, 20 and 22 are pending in the captioned Application in which claims 1-7, 10-18 and 21 are rejected, claims 8, 9, 19, 20 and 22 are objected to, and claims 8, 19 and 21 are canceled hereby without prejudice.

Applicants note an apparent typographical error in the Office Action Summary and in paragraph 1. of the Detailed Action which state that claims 1-21 are pending. Applicants also note that claims 1-22 were pending with claims 10-22 having been added by the Preliminary Amendment. Claim 22 is dealt with in the substantive paragraphs as being objected to.

Figure 1 is amended to address the objection raised by the Examiner.

Claims 8 and 19 are canceled without prejudice, and claims 1 and 14 are amended to include the respective limitations of the cancelled dependent claims and so are of the same scope and breadth as original claims 8 and 19 which contain allowable subject matter. This amendment is made to remove the objections by the Examiner, and for expediency in prosecution, notwithstanding the patentability of the subject matter of the original claims 1, 8, 9, 19 and 20. Claim 22 is rewritten in independent form and so is of the same scope and breadth as original claim 22.

This amendment does not narrow the scope of any claim element or limitation and so is not limiting of any claim element or limitation, and Applicants reserve the right to the benefit of the doctrine of equivalents with respect thereto.

Objections:

Claims 8, 9, 19, 20 and 22 contain allowable subject matter and are objected to because they depend from a rejected base claim.

The objection is overcome because claims 1 and 14 are amended to include the respective limitations of now canceled claims 8 and 19, because claims 9 and 20 are amended to depend from one of allowable claims 1 and 14, and because claim 22 is rewritten in independent form.

Withdrawal of the objection is in order and such action is solicited. This amendment

does not narrow the scope of any claim element or limitation and so is not limiting of any claim element or limitation, and Applicants reserve the right to the benefit of the doctrine of equivalents with respect thereto.

The drawing is objected to because the identification numeral "14" which appears in the specification does not appear in the drawing. The drawing is amended at Figure 1 to add the identification numeral "14" for consistency with the specification. Specifically, the numeral "14" is added to identify the O-ring associated with closing disk 13, as shown on the red-line copy of Figure 1 herewith. Support for the amendment is found, for example, in the specification at page 5, line 14. Replacement drawing sheets including the foregoing amendment are submitted herewith.

Acceptance of the corrected drawing and confirmation thereof in the next communication is solicited. The Examiner is thanked for pointing out the missing numeral.

Accordingly, the objections are overcome and should be withdrawn.

Rejection Under 35 U.S.C. §102(b):

Claims 14-18 and 21 are rejected under 35 U.S.C. §102(b) as being anticipated by US 4,307,654 to de Almeida.

The rejection is overcome in view of the amendment of claim 14 and is moot as to cancelled claim 21. Applicants note that this amendment is made for the sake of expedient prosecution and not because Applicants agree with or acquiesce in the rejection or its reasoning.

The de Almeida patent relates to a filling and exhaust valve for the control of hydraulic flow wherein a main piston valve 4 slides in a valve body 1 and a plate valve 2 is biased by a weak spring 3. As the Examiner admits, the de Almeida valve lacks a manual shut off.

The valve of Applicants' claim 14 is patentable at least because it recites:

“a piston slidable in a part of the housing in response to a difference between a first fluid pressure at the pressure sensing port on the one side of the piston, and a second fluid pressure at the inlet or at the outlet or at both the inlet and the outlet on the other side of the piston,

“a valve member carried by the piston and operable thereby to close the inlet when the second fluid pressure is less than a value sufficiently greater than the first fluid pressure; wherein the valve member is movable with respect to the piston to facilitate closing of the inlet in response to a fluid flow from the housing to the inlet,

“a spring biasing the valve member with respect to the piston to close the inlet when the piston is not acting to close the inlet, and

“a manual shut-off engaging the piston for moving the valve member against the inlet for manually closing the valve,”

which is not described or suggested by de Almeida.

Applicants' claims 15-18 are patentable at least because they depend from patentable claim 14.

Accordingly, the rejection under 35 U.S.C. §102(b) is overcome and should be withdrawn.

Rejections Under 35 U.S.C. §103(a):

Claims 1-7 and 10-13 are rejected under 35 U.S.C. §103(a) as being unpatentable over de Almeida in view of US 5,813,655 to Pinchott et al.

The rejection is respectfully traversed. Applicants note that this amendment is made for the sake of expedient prosecution and not because Applicants agree with or acquiesce in the rejection or its reasoning. In fact, Applicants expressly disagree with the basis for the rejection.

The de Almeida patent is discussed above and, as the Examiner states, lacks a manual shut off means.

Pinchott et al relates to a remote control on/off valve 10 that has a water-powered motor 20 for driving the valve to open and closed positions in response to a control signal communicated to a receiver 22 via a carrier wave. (Abstract; column 4, lines 11-35). A transmitter 78 transmits control signals at a radio frequency to the valve 10 and is sufficiently small to be carried by the user. (Column 7, lines 36-44).

Thus, Pinchott et al describe an electrical control for valve 10 which is completely

separate from valve 10, i.e. remote. Nothing in Pinchott et al describes or suggests that their valve have a manual shut-off. In fact, the very purpose of Pinchott et al is to provide for control of the valve from a remote location which it is submitted is the opposite of a manual shut off that is part of the valve, and so Pinchott et al teach away from Applicants' invention.

Accordingly, the valve of Applicants' claim 1 is patentable at least because the original wording of claim 1 recites:

“a piston slidable in a part of the housing in response to a difference between a first fluid pressure at the pressure sensing port on the one side of the piston, and a second fluid pressure at the inlet and/or outlet on the other side of the piston, a valve member carried by the piston and operable thereby to close the inlet when said second fluid pressure is less than a value sufficiently greater than said first fluid pressure; wherein the valve member is movable with respect to the piston to facilitate closing of the inlet, in response to a fluid flow from the housing to the inlet, biasing means being arranged to bias the valve member with respect to the piston to close the inlet, when the piston is not acting to close the inlet, and wherein manual shut-off means are provided for closing the valve,”

which is not described or suggested by de Almeida and/or Pinchott et al, whether taken individually or properly combined.

Applicants' claims 2-7 and 10-13 are patentable at least because they depend from patentable claim 1.

Accordingly, the rejection under 35 U.S.C. §103(a) is overcome and should be withdrawn.

Formal Drawing:

Applicants submit herewith one replacement sheet of formal drawing in a separate paper addressed to the Official Draftsperson. The replacement drawing includes the amendment described herein and is marked “Replacement Sheet” in the top margin.

Approval of the replacement sheet of formal drawing and confirmation thereof in the next paper is solicited.

Conclusion:

Applicants respectfully request that the objections and rejections be withdrawn, and


that the Application including claims 1-7, 9-18, 20 and 22 be allowed and passed to issuance.

The number of claims remaining being the same as or less than the number previously paid for, no fee is due therefor in consequence of this timely filed response.

However, should the fee calculation be incorrect, or should the fee amount enclosed be incorrect or omitted, or should any other or additional fee be due in consequence of this response, please charge such fee and deposit any refund to Deposit Account 04-1406 of Dann, Dorfman, Herrell & Skillman.

The Examiner is requested to telephone the undersigned attorney if there is any question or if prosecution of this Application could be furthered by telephone.

Respectfully submitted,
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Enc: Red-line Figure 1
Replacement Drawing (1 sheet)

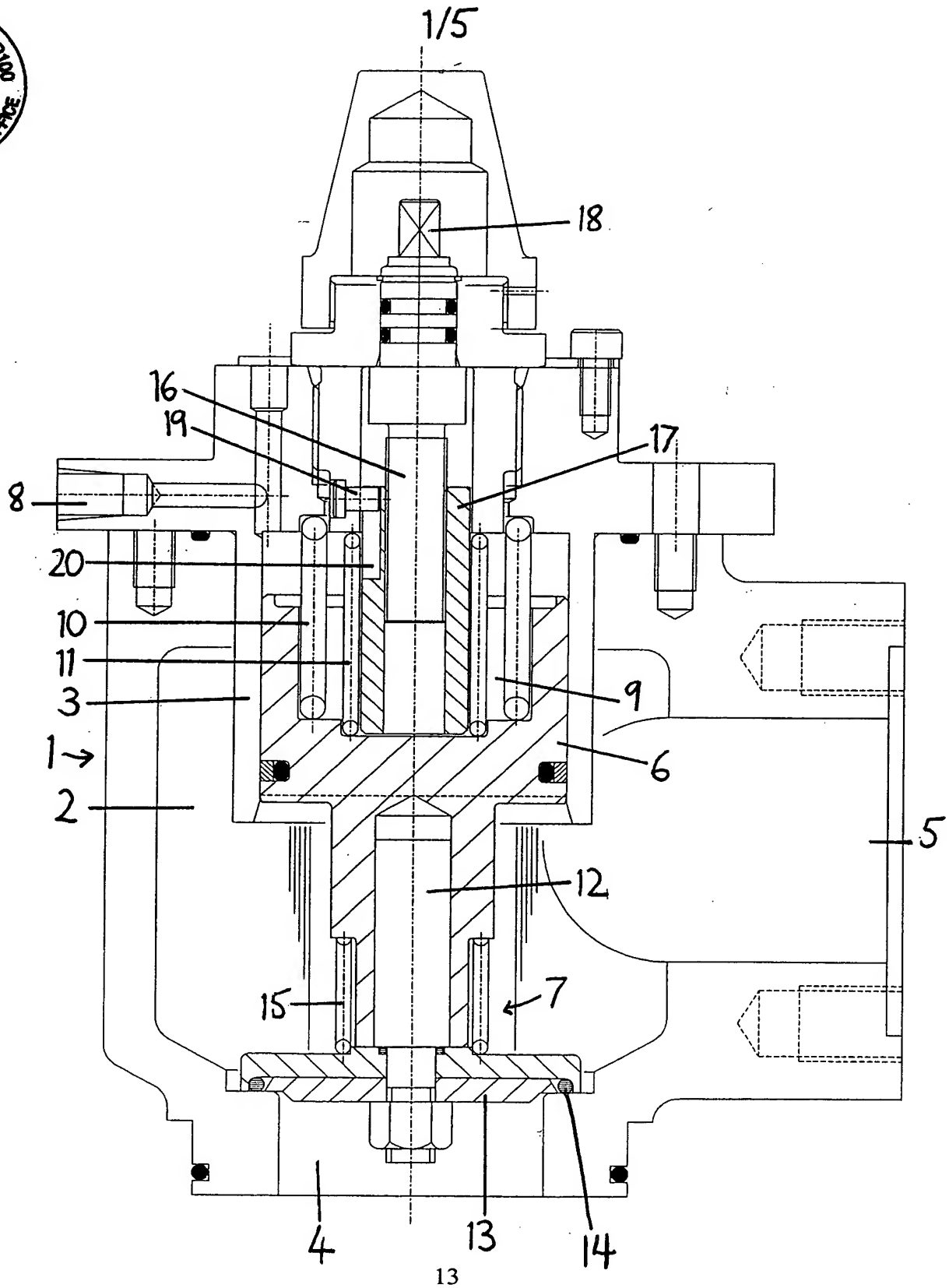


FIG 1